

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EASTERN DIVISION

No. 05-10849RGS

HELEN RUNGE,

Plaintiff

v.

WALTER J. KELLY,
KERRY L. BLOOMINGDALE, M.D., and
SUNBRIDGE NURSING AND
REHABILITATION CENTER,

Defendants

**DEFENDANT WALTER J. KELLY'S ASSENTED-TO MOTION FOR
EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

NOW COMES the Defendant, Walter J. Kelly, ("Kelly") and requests this Honorable Court to grant Defendant Kelly, an extension of two weeks to file a response to the Complaint of the Plaintiff, Helen Runge. Therefore, Defendant Kelly requests this Court to allow him to file his response by July 19, 2005. As grounds therefore, the Defendant Kelly states as follows:

1. Plaintiff requested a Waiver of Service on May 3, 2005 and Defendant Kelly filed the executed Waiver of Service on June 3, 2005.
2. Defendant Kelly's response to the Plaintiff's Complaint is now due upon July 5, 2005.
3. Defendant Kelly requires additional time to respond to the Plaintiff's Complaint, and the Plaintiff, through counsel, has provided her assent.
4. Additionally, all parties who have filed an appearance in this action have assented to this motion.

4. No parties will be prejudiced by allowance of this motion.

WHEREFORE, the Defendant, Walter J. Kelly, requests that this Honorable Court grant his motion for extension until July 19, 2005 to file his response to Plaintiff's Complaint.

Dated: June 28, 2005

Respectfully submitted,

The Defendant, Walter J. Kelly,

By his attorneys,

s/ Michele Carlucci

George C. Rockas, BBO #544009
Michele Carlucci, BBO #655211
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LOCAL RULE 7.1 CERTIFICATION

I, Michele Carlucci, counsel for the Defendant, Walter J. Kelly, certify that I have spoken with counsel for the Plaintiff and with counsel for Defendant Kerry L. Bloomingdale, M.D., regarding Defendant Kelly's Motion for Extension to File a Response to Plaintiff's Complaint. All parties have assented to this motion.

Dated: June 28, 2005

s/ Michele Carlucci

Michele Carlucci